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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 RONALD BRENNAN JR.,

9 Plaintiff,

10 v.

11 ANTHONY ASTON, et al.,

12 Defendants.
13

Case No. C17-1928-JCC-MLP

ORDER DIRECTING CLERK TO RE-
NOTE PLAINTIFF'S MOTION FOR
EXTENSION OF TIME

14 This is a 42 U.S.C. § 1983 prisoner civil rights action. The discovery deadline is currently
15 June 28, 2019, and the dispositive motions deadline is July 29, 2019. (Dkt. # 218.) Defendant
16 Hatchell's and Defendants Machyo and Chavez's separate motions for summary judgment (dkt.
17 ## 192, 193) have been re-noted to June 7, 2019 (dkt. # 218).

18 On May 30, 2019, Plaintiff filed a motion for extension of all deadlines until November
19 2019, asserting that because he has been temporarily transferred from the custody of the
20 Department of Corrections ("DOC") to the King County Jail, he does not have access to his legal
21 files or research. (Dkt. # 220.) On June 3, 2019, however, Plaintiff filed an opposition to the
22 pending motions for summary judgment. (Dkt. # 221.) On June 7, 2019, Defendant Hatchell filed
23 an opposition to Plaintiff's motion for extension of time, arguing that his motion should be

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1 denied because his response to the motions for summary judgment demonstrate that he has
2 sufficient ability to litigate while at the King County Jail. (Dkt. # 224.) Defendant Hatchell also
3 argues that Plaintiff did not point to any specific item that he is missing that prevented him from
4 appropriately responding to the motions for summary judgment. (*Id.*)

5 Defendant Hatchell's opposition brief was untimely. Under the Local Civil Rule 7(d)(2),
6 his brief was due on Wednesday, June 5, 2019, but he did not file it until the noting date of
7 Friday, June 7, 2019. Because Plaintiff did not have an opportunity to file a reply brief, the Court
8 DIRECTS the Clerk to RE-NOTE Plaintiff's motion for extension of time (dkt. # 220) for **June**
9 **21, 2019**. Plaintiff should file a reply brief by June 21, 2019, that addresses the issues Defendant
10 Hatchell raises and also explains to the Court how frequently he is able to access the law library
11 at the King County Jail, what legal documents he currently has access to, and what documents he
12 does not currently have access to that he believes are necessary to litigating this action.

13 The Clerk also is directed to send copies of this order to the parties and to the Honorable
14 John C. Coughenour.

15 Dated this 11th day of June, 2019.

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17 MICHELLE L. PETERSON
18 United States Magistrate Judge
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